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To: Appeals  
Org.: FCC  
Fax: 202-418-0187  
From: Nichole O'Neal  
Date: November 28, 2005  
Subject: App# 482806, Holyoke School District  
Total Pages: 5

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Thank you for your time and consideration regarding this Letter of Appeal.

Nichole O'Neal  
President  
O'Neal Consulting  
Phone: 888-416-8389  
Fax: 877-310-2590  
E-mail: noneal@ocerate.com

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List A B C D E \_\_\_\_\_



November 28, 2005

Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street SW  
Washington, DC 20554

RE: Request for Review-CC Docket No. 02-6  
Application Number 482806  
Holyoke School District, Billed Entry Number 120047  
Funding Commitment Decision Letter for Funding Year 2005

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To Whom It May Concern:


The purpose of this letter is to appeal the funding decision established by the Schools & Libraries Division (SLD) for Holyoke School District for Funding Request Number (FRN) 1337200. In the Funding Commitment Report for this application, it was cited that "30% or more of this FRN includes a request for Network Management which is an ineligible service based on program rules."

The funding requested under this FRN is for the district's routine maintenance services on its LAN/WAN equipment. These services are to be provided by Uplinc, Inc., Service Provider Identification Number 143007964. While Network Management is included in the contract between Uplinc, Inc. and Holyoke School District, it does not represent 30% or more of the total contract package. The contract, provided to the SLD during Program Integrity Assurance, does not explicitly state percentages of total workload for any component but the vendor has indicated that ineligible services comprise only 9% of the entire maintenance contract. This information was not requested during the Program Integrity Assurance phase of the application review process but is crucial to understanding the eligibility of the funding request.

Therefore, I am requesting that you please reverse the decision set forth in the Funding Commitment Report for FRN 1337200 that denied funding for Holyoke School District's eligible maintenance services. Because the Network Management component represents 9% of the total contract, I am also asking that you please reduce the amount of the funding request by this same amount so that the new annual pre-discount amount is \$132,860.00. A copy of the contract and a statement by the service provider describing the extent of ineligible services to be performed has been attached for your review.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

  
Nichole O'Neal  
President

Cc: Elaine Lathrop  
Ronald Marino

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List A B C D E

**TECHNICAL SUPPORT/CONSULTING CONTRACT****Las Wan**

Agreement made this 15<sup>th</sup> day of February 2005 between Uplinc, Inc. of 48 Capitol Drive, West Springfield, MA. 01089 (hereinafter referred to as the "Provider") and City of Holyoke-School System (hereinafter referred to as the "Purchaser") of Holyoke, Massachusetts (hereinafter referred to as "the facility"), for services for the period of 1 July 2005 through 30 June 2006 or until the total number of hours stated in the services provided has been reached.

**RECITAL**

WHEREAS, Purchaser is desirous of purchasing a contract as per ITC16 for technical telephone support, system integration, consultation and operation training for B-Rate allowable products/services as defined in the Schools and Library divisions' Eligibility List.

NOW, THEREFORE, in consideration of the hereinafter-noted consideration, Provider and Purchaser agree as follows:

**SERVICES PROVIDED**

- Uplinc, Inc. will provide technical telephone support, operation training, system integration, and/or consultation service up to 1827 hours.
- Telephone technical support will be provided for the purpose of answering questions in order to resolve problems with the operating system and application software problems, or peripheral hardware operation as they relate to the operating system. If needed, Uplinc, Inc. will act as the Liaison between the application software vendor and the customer.
- On-site visits will be made if Uplinc, Inc. determines that the problem(s) cannot be resolved through the normal telephone support methods. A minimum of one (1) hour will be charged for all on-site work, and travel time is charged one-way.
- Calls for support must be authorized by the contact person named in this contract. Uplinc, Inc. will make every effort to respond within four (4) hours during its normal business hours of 8:30 a.m. to 5 p.m. Monday through Friday.
- System integration, consultation and operation training will be performed by Uplinc, Inc. according to a mutually agreed upon schedule.
- Integration/Interoperability Issues (Strategic Planning)
- Network Administration Support and Training
- System & Network Design, Analysis and Integration (High Level Network Architecture)
- Network Management and Optimization
- Project Management
- Server Configuration and setup including installation, patching, upgrading, and maintenance of network operating systems
- Troubleshooting break and fix related issues involving servers and Lan / Wan equipment
- Installation, patching, upgrading, and maintenance of network related resources
- User and network policy management
- Disaster and Data Recovery (Due to the nature of this service, it will be billed at an emergency rate of twice the contracted hourly rate)
- System Conversion Planning

- Server & Network Performance Evaluation
- Printer management
- Configuration and maintenance of Firewall and Filtering services
- Installation, configuration, and maintenance of Email system
- Installation, configuration, and maintenance of Antivirus solution

Contact Person: Ms. Elaine Latrop

Total Contract Price: \$146,000 (One Hundred Forty Six Thousand Dollars)

**Definitions:**

**System Integration:** defined as the time utilized for installing or configuring any hardware or software not purchased through Uplink, Inc. and is requested to be incorporated into the client's computer system.

**Consultation:** defined as the time utilized for research, presentations, meetings, etc. for the purpose of providing professional advice on any aspects of the client's computer needs (closest to desktop).

**Support:** defined as the time utilized for providing technical assistance of answering questions; resolving problems; and/or research with the operating system or procedures, operation of peripherals, and application software as they relate to the operating system. This includes telephone support, on-site or any in-house support necessary (closest to desktop).

**Operation Training:** defined as the time utilized for the purpose of instruction on the operating system or relation of applications and/or hardware to the operating system.

IN WITNESS WHEREOF the parties have hereunto set their hands and seal.

Signature: 

Name: Dr. Eduardo B. Cebello

Title: Superintendent

Agent For: Holyoke School System

Date: 2/17/05

Signature: 

Name: Ronald P. Marino

Title: President

Agent For: Uplink, Inc.

Date: 02/15/05

# UPLINC

Technology. Solutions.

August 25, 2005

USAC  
Schools and Libraries Division

Dear SLD,

This letter is to verify that the support contract for Holyoke School District, FRN#1337200, for \$146,000.00 is in bulk for repair and upkeep of eligible hardware and basic technical support and configuration changes, with only 9% being allocated for ineligible services.

Regards



Ronald P. Marino  
President  
Uplinc, Inc.  
SPIN#143007964

48 Capital Drive West Springfield, Massachusetts 01080  
(413) 693-0700 • (888) 875-4621 • fax (413) 693-0701 • [www.uplinc.com](http://www.uplinc.com)